STAFF REPORT

May 3, 2007



RZ 07-19: Bryan Development, Ltd.

CASE DESCRIPTION: amend the development plan of a previously-approved Planned

Development - Mixed Use (PD-M) District, specifically by modifying

the range of allowed land uses on the subject property

LOCATION: 60 acres of land out of approximately 340 acres of land in Richard Carter

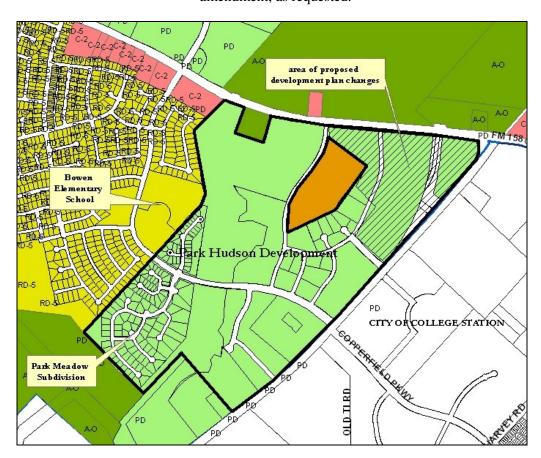
> Survey, A-8, commonly known as Pak Hudson development, located at the southwest corner of Boonville Road (F.M. 158) and University Drive

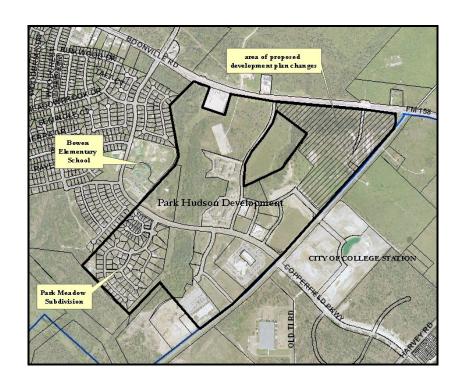
East (F.M. 60) in far southeastern Bryan, Brazos County, Texas

EXISTING LAND USE: vacant acreage

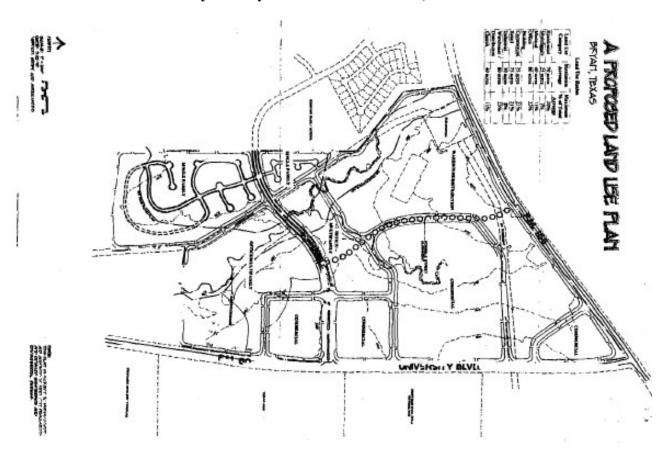
APPLICANT(S): Bill Lero, of Bryan Development, Ltd. **AGENT:** Joe Schultz, of Civil Development, Ltd. **STAFF CONTACT:** Martin Zimmermann, Senior Planner

SUMMARY RECOMMENDATION: Staff recommends approving the proposed development plan amendment, as requested.

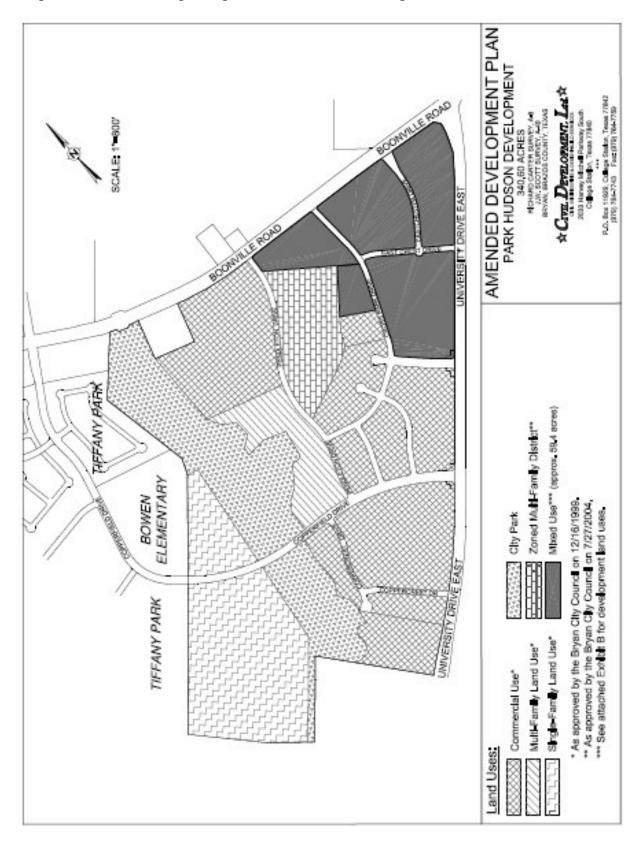




Existing development plan for this Planned Development - Mixed Use (PD-M) District, approved by Bryan's City Council on December 16, 1999



Proposed amended development plan for this Planned Development - Mixed Use (PD-M) District



Land uses that would no longer be permitted on 60 acres within the development known as Park Hudson if the development plan amendment requested by Bryan Development, Ltd. were approved

Automobile Repair/Sales/Rental;

Boat Repair/Sales/Rental;

Commercial Amusement (outdoor);

Farm Equipment Sales/Service;

Feed Store;

Flea Market;

Fraternity/Sorority Houses;

Gaming Establishments;

Heating/AC Sales or Service;

Ice Company;

Lumber Yard;

Manufacturing;

Manufactured Home Display/Sales;

Motorcycle Sales/Rental/Service;

Paper/Chemical Suppliers;

Pawn Shop;

Portable/Small Commercial Structures, Permanent;

Refuse Systems;

Recreational Vehicle (RV) Park;

Recycling Collection Point;

Rodeo Grounds;

Stable, Commercial;

Tattoo/Piercing Studio;

Tool & Machinery Rental;

Trailer Rental;

Truck Rental; and

Truck Repair/Truck Stop.

Land uses that would be permitted on 60 acres within the development known as Park Hudson if the development plan amendment requested by Bryan Development, Ltd. were approved

Automobile service station; Light Manufacturing;
Amusement arcade (video arcade); Machine shop;

Pus terminal/station:

Maving company:

Bus terminal/station; Moving company;
Bed and breakfast; Multiple-family dwelling (apartment building,

Boardinghouse (lodging house); triplex, four-plex); Business or trade school; Nightclub or tavern (>5000sq.ft.);

Banks, savings and loans or credit union offices; Nonpaid parking for nonresidential uses;

Charitable uses; Neighborhood services;

Child care--Class B & C; Nursing home (retirement home);

Commercial amusement (indoor); Nursery (greenhouse);

Commercial bakery; Office--Showroom/warehouse; Cabinet shop; Overnight delivery company;

College or university; Overnight derivery company;

Plumbing service;

Country club or golf course; Portable/small commercial structures—Community center/recreation center; Seasonal;

Dance studio; Printing company;

Detached dwelling units with no more than four Private utility company and office (with outside

un-related persons; storage);

Dormitory; Patio home (zero lot line dwelling); Essential municipal uses; Professional offices;

Funeral home/mortuary; Personal service shop or custom personal Fraternal/service organization; services;

Fitness center; Pharmacies;
Golf course or country club; Photography studio;

Group home/community home; Place of worship;

Government (federal or state) owned structures, Police station;

facilities, and uses; Package liquor store;

General office use (professional, administrative); Parking lots or garages, commercial, paid and nonpaid;

Heliport or helistop; Recreational/community center;

Home occupations; Radio or television broadcasting studio (without Indoor archery and shooting range; tower);

Laundromats (self service washateria); Retail services (including incidental uses);

Laboratory (scientific, research, medical, Restaurant or cafeteria; optical); Reception hall;

Landscape service; Single-family detached dwelling;

Laundries, commercial; Studios; Mini-warehouse/self-storage; Schools;

Motel or hotel; Theater—Indoor and Outdoor; Medical facilities or clinics; Townhouse; and

Museum/art gallery; Veterinary services (no outdoor runs or pens).

Municipal services support facilities;

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BACKGROUND:

On December 16, 1999, Bryan's City Council approved a Planned Development – Mixed Use (PD-M) District for the area commonly known as Park Hudson development. A development plan depicting existing and proposed street configurations and land uses was part of the ordinance creating this PD-M District. That existing development plan is included on page 2 of this staff report.

Portions of Park Hudson are currently developed with different types of land uses, for example, single-family residential (Park Meadow Subdivision), multi-family residential (Pemberton Apartments) and group living facilities (Hudson Creek Alzheimer's Special Care Center), as well as office uses (West Corporation and First National Bank). Other portions, including approximately 60 acres at the southwest corner of Boonville Road (F.M. 158) and University Drive East (F.M. 60) have remained vacant.

Bryan Development, Ltd. wishes to amend this development plan as it relates to the aforementioned 60-acres, which they own and which is labeled "Mixed Use" on the proposed amended development plan included on page 3 of this report. Specifically, the applicants propose to amend the range of permitted land uses on these 60 acres. Under the current development plan approved in 1999, these 60 acres are intended to provide opportunities for development with commercial and warehouse/distribution-type uses. The applicants wish to remove certain land uses from the list of permitted uses on this property. They also propose to add some land uses that are not currently permitted on these 60 acres, to also allow residential uses in addition to certain office, retail and commercial uses on this currently vacant acreage.

Land uses proposed to no longer be permitted on these 60 acres are listed on page 4 of this report. Land uses proposed to be permitted that are not now allowed on these 60 acres include:

- 1. College or University;
- 2. Country Club or golf course;
- 3. Multiple-family dwelling (apartment building, triplex, fourplex);
- 4. Patio homes:
- 5. Single-family detached dwelling; and
- 6. Townhouses.

A complete list of land uses that would be allowed on these 60 acres if the proposed development plan amendment were approved is included on page 5 of this report. The proposed amended development plan also shows 41+ acres that are owned by the City of Bryan to be restricted to parkland development. This is the area of the planned Park Hudson Trail.

Physical development on these 60 acres is proposed to comply with the following development standards and limitations:

- Single-family residential developments shall comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to properties zoned Residential District 5000 (RD-5).
- Multi-family residential developments shall comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to properties zoned Multiple-Family District (MF).
- Nonresidential developments shall comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to properties zoned Retail District (C-2).

Development standards and limitations may include, for example, regulations concerning density, lot area, lot width, lot depth, yard depth and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings and signs.

Any future development on this acreage will still be subject to ordinary City of Bryan site development review. The subdivision of land will be allowed in accordance with the City of Bryan Subdivision Ordinance.

ANALYSIS:

In making its recommendation regarding a planned development rezoning request, the Planning and Zoning Commission shall consider the following factors.

1. Conformity with applicable regulations and standards established by this ordinance.

If approved, development on the subject acreage will conform to development regulations and standards for single-family, multi-family and nonresidential developments. No deviations from development standards for such developments are proposed with this development plan amendment.

2. Compatibility with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features, within the standards established by this ordinance.

Staff contends that the proposed range of permitted uses, which includes residential as well as certain office, retail and commercial uses will be compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features. Staff believes that the proposed range of permitted land uses is overall less intense than what could develop at this location under the current development plan.

3. Does not potentially create unfavorable effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of the PD District.

Staff is unable to identify any potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of the PD District.

4. Does not adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

Staff contends that the proposed development will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity.

5. Reasonably protects persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

Staff contends that the proposed development will reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

6. Does not adversely affect traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

Staff contends that the proposed development will not adversely affect traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

7. Is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Staff contends the proposed development will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties and improvements in the vicinity.

RECOMMENDATION:

Staff recommends **approving** the proposed development plan amendment, as requested.